

ALJ/BDP/avs

Decision 01-10-011 October 10, 2001

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Dr. Augusto Baronio Martins,

Complainant,

vs.

Cingular Wireless (formerly known as Pacific Bell  
Wireless),

Defendant.

(ECP)

Case 01-06-040

(Filed June 19, 2001)

**OPINION ADOPTING SETTLEMENT  
OF BILLING DISPUTE**

Dr. Augusto Baronio Martins (Complainant) alleges that his telephone service was wrongfully disconnected. He contends that despite repeated requests to the utility, he did not receive his May 1999 bill until January 2000.

Cingular Wireless (Defendant) admits that there was a delay in submitting some bills in May 1999 due to computer problems, but alleges that copies of complainant's May 1999 bill were subsequently sent to him on at least three separate occasions. Defendant disconnected service for nonpayment. According to defendant, the complainant owes \$120.50, including termination charges.

An unreported hearing was held on August 7, 2001, in San Francisco. Complainant conceded that he owed \$55.00 for his May 1999 bill. Defendant agreed to accept this amount in full settlement of the unpaid balance.

We will adopt the settlement.

**O R D E R**

**IT IS ORDERED** that:

1. Upon payment of \$55.00 by Dr. Augusto Baronio Martins for service covered by his May 1999 bill, defendant Cingular Wireless shall accept that amount in full settlement of all outstanding amounts allegedly owed by complainant.

2. This proceeding is closed.

This order is effective today.

Dated October 10, 2001, at San Francisco, California.

LORETTA M. LYNCH

President

HENRY M. DUQUE

RICHARD A. BILAS

CARL W. WOOD

GEOFFREY F. BROWN

Commissioners